

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FARM CREDIT LEASING
SERVICES CORPORATION,

Plaintiff,

vs.

CLINTON RAY MULLIN, JR.,

Defendant.

CV 18–71–BLG–DWM

ORDER FOR SEIZURE
AND WRIT
OF ASSISTANCE

Plaintiff FARM CREDIT LEASING SERVICES CORPORATON sued for a money judgment against Defendant CLINTON RAY MULLIN, JR. (hereinafter “Mullin”) and claim and delivery pursuant to Title 27, Chapter 17, Montana Code Annotated, for the recovery and repossession of the following-described property:

a 2015 Riteway Heavy Harrow, Model 7178, serial number 16811543 and a 2016 Riteway Roller, Model F350NT, serial number 16-2724, hereinafter (the “Equipment”).

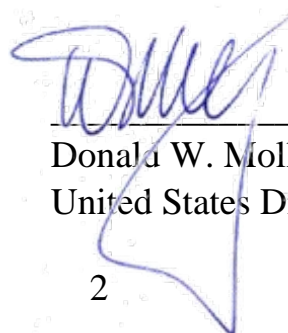
On January 18, 2021, Plaintiff and Defendant filed a Confession of Judgment whereby Defendant Mullin confessed judgment in favor of Plaintiff in the amount of One Hundred Fourteen Thousand Nine Hundred Fifteen Dollars and 86 Cents (\$114,915.86), plus post-judgment interest thereon at federal judgment rate, plus Plaintiff’s reasonable attorney fees in such amount as may be allowed by the

Court, and for entry of an Order of Seizure and Writ of Assistance directing the United States Marshal or other authorized law enforcement officer where said Equipment can be found, to seize and take said property from the Defendant or persons in possession thereof, and deliver it to the, all pursuant to law. (*See Docs. 48, 48-1.*) Judgment was entered consistent with that filing. The Court therefore FINDS:

- (1) The Confession of Judgment is enforceable as a consent judgment against the Defendant and is in due form and complies with the provisions of law;
- (2) Plaintiff has applied to the Court for entry of this Order of Seizure and Writ of Assistance stating that the Defendant has defaulted on a payment or payments due under the Confession of Judgment filed herein; and
- (3) Plaintiff is entitled to possession of the Equipment.

Accordingly, IT IS ORDERED that the United States Marshal's Service, or Sheriff of any county in which said Equipment can be found, seize the Equipment and take the property from the Defendant, or from the person in possession of the same, and hold the Equipment for delivery to Plaintiff pursuant to law.

DATED this 19th day of January, 2021.



10:23 AM

Donald W. Molloy, District Judge
United States District Court